

Effective January 1, 2006
(Revised April 10, 2006)

V. Policies and Procedures Governing Billing and Compensation

Section 33

Compensation Rates

The following represents the current payment structure for compensation of attorneys assigned through the Committee:

A. Matters Paid At \$60.00 Per Hour

Effective for services rendered on or after 7/1/05, the following types of legal services will be paid at the rate of \$60.00 per hour for in-court and out-of-court work:

- All cases that require a Superior Court certification, including Sexually Dangerous Person proceedings, wherever the case is heard (rate applies to trial and appeal). Rate does not apply to bail-only or arraignment-only assignments in the District court.
- All cases that require a Youthful Offender certification (rate applies to trial and appeal). If the case involves charges not included in the CPCS Presumptive Youthful Offender list (see Youthful Offender section of this Manual), but the juvenile was nevertheless later indicted as a Youthful Offender, then the delinquency portion of the case is compensable at \$50.00 per hour until the date of the indictment. The Youthful Offender portion of the case is compensable at \$60.00 per hour, from the date of the postindictment arraignment until the conclusion of the case.
(Attorneys must submit copies of the indictment(s), together with copies of the NAC form, in such cases to CPCS, attention: Youthful Offender Staff Counsel.) The attorney should also get a new NAC for the case once the juvenile is indicted.
- Criminal felony charges that are within district court jurisdiction (G.L. c. 218, § 26) are called concurrent felonies because they are within the jurisdiction of both the district and superior courts. The required certification depends on

the court in which the case is heard. These cases will be paid at \$50.00 per hour when heard in district court and \$60.00 per hour when heard in superior court.

- All post-conviction matters (other than murder convictions) in which the defendant was convicted in Superior Court or was convicted as a Youthful Offender.
- All mentors.
- Bail Petitions heard in the Superior Court.

B. Matters Paid At \$50.00 Per Hour

Effective for services rendered on or after 7/1/05, the following types of legal services will be paid at the rate of \$50.00 per hour for in-court and out-of-court work:

- Bails and Bail Reviews on all cases in the District Court.
- All appeals from denial of motions for funds in District Court cases heard in the Appellate Division of the District Court.
- Writs of Apprehension (G.L. c. 123, § 12(e)).
- Commitment for Alcohol- or Substance-Abuse (G.L. c. 123, § 35).
- Criminal felony charges that are within district court jurisdiction (G.L. c. 218, § 26) are called concurrent felonies because they are within the jurisdiction of both the district and superior courts. The required certification depends on the court in which the case is heard. These cases will be paid at \$50.00 per hour when heard in district court and \$60.00 per hour when heard in superior court.
- Petitions for review of sex offender designation (G.L. c. 6, § 178M. [These are civil cases heard in Superior Court.]
- Children and Family Law cases, including CHINS.
- Mental Health cases.
- Minors Seeking Abortion (“Mary Moe”) cases (G.L. c. 112, § 12S, Offense Code 1005).
- Probate Contempt cases where a criminal complaint has

been issued.

- All other criminal cases not listed above.

C. Matters Paid At \$100.00 Per Hour

Effective for services rendered on or after 7/01/05, First- and Second-Degree Murder trials and murder appeals will be paid at \$100.00 per hour.

SUMMARY (effective for services rendered on or after 7/1/05):

Murder Cases.....	\$100.00/hour
Cases Requiring Superior Court Certification.....	\$60.00/hour
Cases (Not Bail-Only Assignments) Requiring Youthful Offender Certification.....	\$60.00/hour
Substantive Criminal Cases Heard in Superior Court	\$60.00/hour
Criminal Cases not requiring Superior Court Certification Heard in District Court	\$50.00/hour
Juvenile Delinquency Cases not requiring Youthful Offender Certification	\$50.00 per hour
Bail-Only Assignments in District Court	\$50.00/hour
Bail-Only Assignments in Superior Court	\$60.00/hour
District Court Bail Reviews	\$50.00/hour
Bail Petitions in the Superior Court.....	\$60.00/hour
Mentors in all cases.....	\$60.00/hour
Petitions for Review of Sex Offender Designation	\$50.00/hour
Mary Moe cases (G.L. c. 112, § 12S)	\$50.00/hour
SDP Commitments & Reviews	\$60.00/hour
Writs of Apprehension (G.L. c. 123, § 12(e))	\$50.00/hour
Commitment for Alcohol- or Substance-Abuse (G.L. c. 123, § 35).....	\$50.00/hour

Concurrent felonies:

If substantive case heard in Superior Court.....\$60.00/hour

If substantive case heard in District Court\$50.00/hour

Children and Family Law cases, including CHINS\$50.00/hour

Mental Health Cases\$50.00/hour

Other Criminal Cases not mentioned above.....\$50.00/hour

34. Docket Entry and Documentation Requirements

Attorney bills are subject to review by CPCS, and attorneys may be asked to provide docket sheets and other records on individual cases.